

7.3 Contract No. 2020/195 - Parks and Roads Fencing, Synthetic Surfacing and Related Infrastructure

Abstract

This report seeks Council endorsement for the award of Contract No. 2020/195, Parks and Roads Fencing, Synthetic Surfacing and Related Infrastructure. This contract will provide Council with a panel of contractors for the comprehensive supply and installation of parks and roads fencing, synthetic surfacing and related infrastructure for an initial term of three (3) years with one possible extension of two (2) years for a maximum contract term of five (5) years.

This is a replacement for an existing contract which has reached the end of its maximum term.

The estimated cost of this Contract for the maximum contract term is \$4,358,315 (including GST) and excluding any price adjustment due to rise and fall. The estimated cost to Council after the return of GST Input Credits is \$3,962,105. Because of the value of the contract it was publicly advertised in accordance with the requirements of section 186 of the *Local Government Act. 1989*

Confidential information is contained in **Attachment 1**, as circulated in the confidential section of the agenda attachments, in accordance with Section 66(2)(a) and the definitions of 'confidential information' in Section 3(1) of the Local Government Act 2020. The information relates to private commercial information, being information provided by a business or commercial undertaking that if released, would unreasonably expose the business or commercial undertaking to disadvantage. The item has been included in the public agenda to facilitate transparency and accountability in Council's decision making.

If discussion of the confidential information in the attachments to this report is required in order for Council to make a decision, this item will be deferred to the confidential section of the agenda.

Officers' recommendation

That Council:

1. Award Contract No. 2020/195, Parks and Roads Fencing, Synthetic Surfacing and Related Infrastructure, to:
 - Aste Tennis Courts Pty Ltd (ACN 105 615 263) trading as ASTE- Australian Synthetic Turf Enterprises;
 - Grassports Australia Pty Ltd (ACN 110 205 840);
 - Fencetech Australia Pty Ltd (ACN 611 843 157) trading as Otter Fencing Australia; and
 - The Fencing Man Pty Ltd (ACN 106 216 933) the Trustee for the Fencing Man Business Trust (ABN 54 455 957 092),

at their tendered schedule of rates for an initial contract term of three (3) years with possible extensions to a maximum contract term of two (2) years. The estimated contract cost for the maximum term is \$4,358,315 (including GST). The cost to Council after the return of the GST Tax Input Credits is \$3,962,105.

2. Authorise the Director Places and Spaces to execute the contract agreements with the above contractors.
3. Authorise the Director Places and Spaces to negotiate extensions to the contract with the above contractors to the maximum five (5) year contract term.
4. Note that expenditure under this contract in 2021-22 is in accordance with Council's adopted budget and Long Term Financial Strategy and expenditure in future years will be in accordance with the approved budget allocations.

Responsible director: Daniel Freer, Director Places and Spaces

1. Purpose

The purpose of this report is for Council to give consideration to the awarding of Contract No. 2020/195, Parks and Roads Fencing, Synthetic Surfacing and Related Infrastructure.

2. Policy implications and relevance to community plan and council plan

This contract aligns with the following themes and strategies in the Boroondara Community Plan (2017 -27) and Council Plan (2017- 21):

Theme One - "Your Community, Services and Facilities"

- **Strategy 1.1:** Plan, maintain and renew multipurpose facilities and sports precincts to meet broad, intergenerational needs of the community now and into the future.
- **Strategy 1.11:** Ensure Council's assets are suitable for community use through proactive asset inspections, maintenance of asset data in the corporate asset system and development of Asset Management Plans.

Theme Two - "Your Parks and Green Spaces"

- **Strategy 2.5:** Increase and improve public amenities and facilities in open spaces to enhance functionality for a wider range of uses.

This procurement process has been carried out in accordance with the requirements of Council's Procurement Policy.

3. Background

Council requires a panel of suitably qualified and experienced contractors to provide parks and roads fencing, synthetic surfacing and related infrastructure services and works in accordance with the requirements of the specification.

Invitation to tender

In accordance with Council's procurement procedures and Section 186 of the *Local Government Act 1989*, Council invited public tenders from suitably experienced and qualified organisations to form a panel of suppliers to provide parks and roads fencing, synthetic surfacing and related infrastructure services. An Invitation to Tender was advertised in the local government tenders section of "The Age" on Wednesday, 31 March 2021 and on Council's website. The closing date for submissions was 4:00pm, Tuesday 20 April, 2021.

In response to the advertisement, Council received four (4) submissions:

- Aste Tennis Courts Pty Ltd trading as ASTE- Australian Synthetic Turf Enterprises;
- Grassports Australia Pty Ltd;
- Fencetech Australia Pty Ltd as Otter Fencing Australia; and
- The Fencing Man Pty Ltd the Trustee for the Fencing Man Business Trust.

4. Outline of key issues/options

It is envisaged that there are no issues.

This proposed contract is important to the ongoing operations of Council and is required to cover a number of key services that cannot be supplied by internal staff. It will ensure quick procurement of essential supplies and services.

5. Consultation/communication

The tender was advertised after extensive consultation within the Waste, Facilities and Infrastructure and Environmental Sustainability & Open Spaces departments who informed the development of the specification and associated tender documents. The procurement process was facilitated by officers from Chief Financial Office, whose participation has ensured transparency and probity.

6. Financial and resource implications

Council's 2021-22 adopted budget contains a total allocation of \$792,421 for proposed contracted services. The relevant account details are shown in table 6.1.

Account Number	Description	Budget Amount
24900-53108	Fence Maintenance	\$13,535
24301-53100	Sportsgrounds	\$83,886
71867-53010	Park Fences Renewal Program	\$170,000
71868-53010	Oval Fences Renewal Program	\$130,000
71869-53010	Cricket Park Nets Renewal Program	\$157,000
72472-53010	Sports Synthetic Surface Renewal Program	\$30,000
71778-53010	Minor Sportsground Improvements	\$195,000
72473-53010	Sports Goal Post Renewal Program	\$13,000
Total		\$792,421

Table 6.1

Council does not guarantee the appointed contractors a minimum quantity of work in relation to any of the contract components. The amount of works performed will be in accordance with the need and budgetary allocations each year.

Payment will be made in line with the respective Tenderer's Schedule of Rates.

7. Governance issues

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

The officers responsible for this report have no direct or indirect interests requiring disclosure.

This tender process has been carried out in accordance with the requirements of Council's Procurement Policy.

8. Social and environmental issues

Environmental aspects were one of the evaluation criteria. Social issues are not relevant.

9. Evaluation and review

The tender evaluation report is provided as **Confidential Attachment 1.**

As a result of the tender evaluation, the evaluation panel recommends that Council award Contract No. 2020/195, Parks and Roads Fencing, Synthetic Surfacing and Related Infrastructure to:

- Aste Tennis Courts Pty Ltd (ACN 105 615 263) trading as ASTE- Australian Synthetic Turf Enterprises;
- Grassports Australia Pty Ltd (ACN 110 205 840);
- Fencetech Australia Pty Ltd (ACN 611 843 157) trading as Otter Fencing Australia; and
- The Fencing Man Pty Ltd (ACN 106 216 933) the Trustee for the Fencing Man Business Trust (ABN 54 455 957 092).

at their tendered schedule of rates. The estimated contract cost for all contracts for a maximum term of five (5) years is \$4,358,315 (including GST). The cost to Council after the return of the GST Tax Input Credits is \$3,962,105.

Manager: **George Batsakis, Manager Facilities, Waste and Infrastructure**

Report officer: William McGivern Coordinator Road Related Asset Maintenance